The City Council of the City of Leon Valley, Texas, met on the 3rd day of June 2008 at 6:00 p.m. at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

SPECIAL CITY COUNCIL WORKSHOP - 6:00 P.M.

Call to Order.

Mayor Riley called the meeting to order at 6:03 p.m. and asked that the minutes reflect that the following members of Council were present: Reyna, Baldridge, Dean, and Nelson.

City Manager Lambert, City Secretary Feutz, Assistant Public Works Director Stolz, Fire Chief Irwin, Police Chief Wallace, City Engineer Sia Sayyadi and Alternate City Attorney Onion were also present.

Councilmember Manea arrived at 6:05 p.m.

<u>Discussion on El Verde drainage channels and Ridge Subdivision detention pond (SIA Engineering Inc.).</u>

Mayor Riley welcomed everyone to the meeting and introduced one of the City's engineers, Sia Sayyadi.

City Manager Lambert explained how this workshop came to be called. He explained that EI Verde Road and Aids Drive experience some flooding issues with the heavy and repeated rain events in the summer of 2007. He reminded everyone that the residents had submitted a petition asking for Council's help with drainage on the EI Verde/Jeff Loop area specifically for help with the drainage channels in that area and also detention pods in the area that did not seem to be working. He stated that two other engineering firms had been asked to look into the problem, but neither firm had responded to the City's requests. He stated that SIA Engineering works with development and platting/zoning issues and plans for the City and agreed to look at the situation. Mr. Lambert stated that the residents in the area were notified of this meeting.

Mr. Sayyadi reviewed his work in investigating the drainage issues for the area in question. He informed the group that he was is in contact with Bexar County, San Antonio River Authority, and FEMA in regards to the flood zones and drainage from this Huebner Creek area. He presented illustrations of cross sections from the San Antonio River Authority (SARA) showing water surface elevations for the 100 year flood zone. He presented information on three drainage channels that he recommends be modified to make water wings to help divert water flowing from the concrete drainage channels into Huebner Creek. He explained that the water wing additions will ease the problem but not solve the problem for significant rainfall events. He estimated the cost for the three wings to be about \$50,000.

Mr. Sayyadi provided explanations of water detention ponds were being required for new construction along Grissom Road, how detention ponds functioned, and recommended that the temporary berms along Aids Drive be removed and ditches be constructed to divert water flow to drainage areas away from habitable structures. He clarified how detention ponds in new construction are designed to slow water drainage after construction is completed to pre-

development drainage flow levels. He recommended that a sub-detention pond be constructed below the current detention pond for the Ridge Subdivision which would also slow the released water flow. He estimated that the additional detention pond would cost \$20,000 plus the cost of easements from private property owners.

He informed the group of news that the Bexar County flood control program will be working with Vickery and Associates, who will present their recommendations within the next six months on the area flood control program plans. He stated that the Bexar County program will look at detention ponds above Leon Valley's portion of Huebner Creek to slow water flow into the creek and by widening and deepening Huebner Creek and Leon Creek below Leon Valley to allow creek flow to move away from Leon Valley. Mr. Sayyadi stated that private property buyouts are usually the last option in flood control.

Mr. Sayyadi asked the residents in attendance to mark the high water mark which would indicate how much water they had outside their homes for the August 26, 2007 high water event and asked them to report that level to him to help Bexar County make comparisons to past high water events in the area.

In answer to Council questions about forming additional detention ponds in the City to help control flooding particularly east of Evers Road in the Huebner Creek bed, Mr. Sayyadi stated that detention and retention ponds could be created that could offer aesthetic and water control for the City.

City Manager Lambert summarized the five areas that the engineer had recommended: open ditches along Aids Drive, consider wing walls for the Jeff Loop/El Verde drainage channels, open a sub retention pond outlet for the Ridge drainage, and work with Bexar County on flood control programs.

Adjourn.

Mayor Riley announced that the regular Council meeting was scheduled to start at 7:00 p.m; therefore, adjournment of the workshop was necessary. Mr. Sayyadi offered to continue to answer questions of the residents outside of the Council Chambers. A motion was made by Councilman Reyna, seconded by Councilmember Baldridge, to adjourn. Mayor Riley announced the meeting adjourned at 7:00 p.m. and that the Council would take about a 5 minute break.

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order at 7:10 p.m. and asked that the minutes reflect that the all members of Council were present: Manea, Reyna, Baldridge Dean and Nelson.

City Manager Lambert, City Secretary Feutz, Assistant Public Works Director Stolz, Fire Chief Irwin, Police Chief Wallace, and Alternate City Attorney Onion were also present.

Mayor Riley asked Councilmember Nelson to lead the assembled group in the Pledge of

Allegiance.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed from that agenda for further discussion. Councilman Reyna asked that the agenda item considering meeting minutes be removed for further discussion. Hearing no other requests, Mayor Riley then asked if anyone in the audience wished to address the Council.

Resident Julia Carroll, 7134 Tealeaf, addressed Council regarding skateboarding in the Leon Valley park. She stated that her 16 year old son has been told that he is not allowed to skateboard in the park, particularly in the concrete drainage ditch. Resident Rene Mancillas, 6403 Pacer Trail, echoed the concerns for her teenage children being asked to leave the park and not being permitted to skateboard in the drainage ditch or elsewhere in the public park. City Manager Lambert stated that the Police Department responds to complaints based on guidance from the City's Park Commission. Mayor Riley asked that the issue be analyzed by the City Attorneys. The mothers asked if the teens can skateboard in the drainage channel, but Councilman Reyna stated that the item is not an agenda item and Council would wait for answers and guidance from the City Attorney on the issue before making any decisions.

Resident Pedro Esquival addressed Council commending the new Code Enforcement Officer, Edward Tijerina, for his quick action in clearing up trash he had reported on Forest Meadow at the last Council meeting. City Manager Lambert added that Waste Management picked up the items the next day.

Mayor Riley thanked everyone for their comments and seeing no one else for the "Citizens to be heard" portion of the meeting, she asked for a motion to approve the following Consent Agenda items, less the item for Council meeting minutes:

Consent Agenda

Consider Ordinance to reappoint the Municipal Court Judges and the City Prosecutor (Wallace).

Consider Ordinance to appoint a member to the Park Commission (Mayor Riley).

A motion was made by Councilmember Reyna, seconded by Councilman Manea, to approve the Consent Agenda as presented. Upon vote, Mayor Riley announced that the motion and the Consent Agenda items were approved.

Consider approval of minutes of the Special City Council Meeting of May 20, 2008, Regular City Council Meeting of May 20, 2008, and Special City Council Meetings of May 29, 2008 and May 30, 2008 and the Special City Council Workshop of May 31, 2008 (Feutz).

Councilman Reyna asked that the meeting minutes for the Special City Council Workshop of May 31, 2008 be amended to include a statement indicating that no City Council action was taken at that workshop.

A motion was then made by Councilman Reyna, seconded by Councilman Manea, to approve the minutes, with the amendment to the May 31, 2008 City Council meeting minutes stating that no action was taken by Council in the workshop of May 31, 2008. Upon vote, Mayor Riley announced that the motion carried.

Regular Agenda

<u>Public Hearing on Texas Trail Grant proposed trails and consider any appropriate action</u> (<u>Lambert</u>).

Mayor Riley thanked everyone for returning for the meeting to see the areas for the trail and to hear how the City will address the concerns they raised in February 2008. She also informed the audience that the City Council had walked the trail on Saturday, May 31, 2008 to see the area and terrain for this trail. Mayor Riley explained that there would be a staff presentation on the trail system first, questions by Council, and then questions from the audience during the public hearing would be held.

City Manager Lambert provided information stating that urban planners indicate that the most desirable places to live are connected so that their citizens can move and navigate between commercial, residential, recreational, and business sections of the city with public transportation, trails and paths and roads. He described the return of "smart growth" and mixed use development in urban living. He reported that the City has joined the Metropolitan Planning Organization (MPO) for a walkable community and has joined the American Institute of Architects to begin planning and implementing a sustainable community for Leon Valley. He stated that Leon Valley is working toward becoming a livable city for the future. Mr. Lambert stated that the proposed trail grant trail being reviewed at this meeting was Phase 3 of a multiphased program for that connectivity; Phase I being the trails in the Raymond Rimkus Park and in the natural area, and Phase 2 being the quarter mile trail at Pavona Place. He stated that a Phase 4 will be looking at connectivity with the shared City of San Antonio - Crystal Hills Park. Maps and photos of the proposed trail were presented as Mr. Lambert described how the trails' construction should take about 60 days after the bidding is completed.

The City Manager reviewed the list of resident concerns voiced earlier in the year and summarized plans for addressing those concerns:

<u>Trash along the trail:</u> Trash containers would be placed alongside of the park benches along the trail and Public Works staff will remove trash daily.

<u>Safety beside the ditches:</u> The trail would be graded to prevent sliding off the trail on sloped areas for the safety of trail pedestrians.

<u>Ecological protection:</u> The trail will also go around any existing large trees along the proposed trail route

<u>Safety:</u> The Police Department will saturate the trailhead entrances and staff proposes gates to be closed during the same hours as the Raymond Rimkus Park - sunset - sunrise. He stated that there were no plans to light the trails at this time to discourage anyone from walking along the trail when the trail is closed at sunset.

<u>Parking:</u> The plan for a trail system throughout the City will not encourage vehicle traffic into a neighborhood to start a trail walk, but rather it is anticipated that walkers will primarily be residents of Leon Valley.

<u>Graffiti:</u> The area has been already experiencing graffiti, but increased activity of residents walking the trail system, will hopefully discourage those who put up graffiti.

<u>Barking dogs:</u> The Police Department will continue to respond to complaints of barking dogs and the new trail system will not exempt pet owners from the current ordinances for noise.

Resident David Fitzgerald asked about the slant of the path along the ditch area toward Forest Meadow. He also asked if the new path will affect water flow in the floodplain and Mr. Lambert stated that there should be no affect. Councilman Reyna affirmed that the construction of the trail path will follow the law.

Mayor Riley reported that she had visited with the residents of Pavona Place subdivision who had complained before Council about 2-3 years ago when a trail was built connecting the residents of Linkwood Subdivision to Evers Road. She stated that only one resident, who lived on a corner, reported problems, but others residents along the trail, who had expressed similar concerns as the residents with this trail, had no complaints about the trail after its construction.

Mayor Riley opened the public hearing at 7:53 p.m. and invited the public to comment on the proposed trail system.

Resident GG Addicks-Villalon addressed Council expressing her concerns for the safety of the residents who will have people walking behind their homes. She reported that she had already experienced an intruder in her backyard and she was afraid for the children and of being cited for letting her dog bark at people who are walking behind her home. Mayor Riley recommended Neighborhood Watch for this neighborhood. Ms. Villalon described the problems of vandalism in the home she grew up in attributing the problems to an alley behind the homes. She stated that after the alley was fenced off, the break-ins also were minimized.

Resident Bobby Sanford, 6110 Saddlebow, thanked Council for the notification and asked if the trail grant was already a "done deal" and were there any other options. Mayor Riley stated that the grant money was awarded specifically for this trail and was difficult to get. Mr. Lambert stated that the money would be returned to the State if the trail was not built. Mr. Sanford expressed concerns that he has dogs for protection and when they bark, he is alerted to the presence of someone who is not supposed to be in the area. He asked what will Council do in the future if the neighbors come back with reports of increased crime, graffiti, or if the citizens want the trail lighted to discourage people from hanging around on the trail area. He reminded Council that the bollards and chain across a trail path is not going to stop anyone from entering the trail system after dark, and Mayor Riley agreed. Mr. Sanford also expressed his concerns for any liability issues for the City with people getting injured on sloped trail surfaces. He asked what he and his neighbors need to do to have lighting on the trail.

Councilmembers expressed their support and belief that a developed area would be less attractive for mischief in the area and that there are advantages to having the trail system in Leon Valley.

Park Commissioner Al Uvietta addressed Council and the audience reminding them that the Volunteer Park Patrol is still looking for additional volunteers and encouraged those living along the trail to help. He also reported that most all parks are now being built in floodplain.

Resident David Fitzgerald again addressed Council asking if there was an environmental impact study done for park trail project. Assistant Director of Public Works Stolz answered that no study was required. Mr. Fitzgerald cautioned the City about altering the floodplain when developing the trail and expressed his concerns for altering the slopes to the drainage basin.

Resident Bill Cummings, 6126 Saddlebow, echoed the concerns of others about the security along the trail system and asked that a more substantial fence/gate system be considered along the entrances to the trail system.

Resident Vivian Pankey, 6136 Stirrup, addressed Council complaining that she was not notified of the night's meeting, even though her home does not directly abut the proposed trail, she stated that she felt that her home will be impacted by the new trail.

Resident Carol Turner, 7211 Forest Pine, addressed Council, also about her concerns for security of the homeowners and about a better fencing and gate plan for this trail.

Resident Pedro Esquivel, addressed Council stating that he hears about concerns for safety, but the City keeps increasing the areas to receive police assistance, but the City is not increasing the number of police officers on staff. He stated that citizens are concerned about police and fire protection and with additional responsibilities, he felt that the number of police officers should also increase.

Mayor Riley closed the public hearing at 8:50 p.m.

Councilman Reyna asked if there was a penalty if the City closes the trail after it has been constructed. Staff stated that the trail must remain open for 20-25 years and if not, the full amount of the grant (\$59,499) must be returned to the State. Councilman Reyna asked if the City can evaluate the program in one year and asked the citizens to come to him to be put on an agenda if there are problems on the trail.

A motion was made by Councilmember Dean, seconded by Councilman Reyna, to approve the trails outlined in the presentation for this trail grant.

Councilmember Dean agreed with Councilman Reyna stating that he felt that the trail will prove to be a benefit to the community, but he acknowledged the citizens concerns and stated that he would support actions by Council in the future should the trail prove to be detrimental to the citizens. Councilmember Baldridge expressed her feelings that the trail will be an asset to the community.

City Manager Lambert stated that he wanted to go on record stating that this area already has crime and graffiti and he did not believe that the proposed trail will have a negative affect on the area.

Hearing no further comments, Mayor Riley called for the vote. Upon unanimous vote, Mayor Riley announced that the motion passed and the proposed trail grant would proceed.

Consider M&C # 06-01-08 - to award bid for the construction of Linkwood ADA Sidewalk Improvements funded by a Bexar County CDBG grant (Stolz).

Assistant Public Works Director Stolz addressed Council stating the City was awarded a Bexar County grant for ADA sidewalk improvements for 11 intersections in the Linkwood Subdivision. He announced that the bid opening of May 13, 2008 had ten companies submitting bids. He reviewed the bid submittal amounts and stated that the low bidder was for San Antonio Constructors, LTD in the amount of \$42,508.40. He stated that the bid was reviewed by staff and Bexar County has informed the City that San Antonio Constructors, LTD is an acceptable bidder. He stated that the CDBG grant was awarded in the amount of \$53, 114 and based upon the bid, he stated that the City can increase the difference between the bid and the amount awarded to do additional construction. Mr. Stolz stated that after reviewing the bids, it appears that some bidders bid sidewalks for the entire subdivision rather than just for the ones specified in the bid package. He also stated that the City has worked with San Antonio Constructors, LTD in the past with good results.

A motion was made by Councilman Reyna, seconded by Councilmember Baldridge to approve the request and award the bid to San Antonio Constructors, LTD as presenters. Following discussion, Mayor Riley called for the vote. Upon unanimous vote, Mayor Riley announced the motion carried.

Consider appointment of Mayor Pro Tem to serve for a one-year term (Mayor Riley).

Mayor Riley announced that Councilman Reyna's Mayor Pro Tem term is expiring and according to the Local Government Code it was time for Council to consider a new appointment.

Councilman Reyna presented a clock for the City from the Keep America Beautiful chapter following his assistance as Mayor Pro Tem in the installation of their local officers. After presenting the clock to Mayor Riley, he stated that in the recent City Council workshop, he recommended that there be a rotating Mayor Pro Tem with shorter terms than one full year as a team building effort for the Council.

Assistant City Attorney Onion addressed Council stating that the Local Government Code, Section 22, says the governing body shall elect "one alderman to serve as president pro tempore for a term of one year" and that there is no provision for terms less than one year, unless, by previous agreement, Councilmembers agreed to resign at the end of each 2 months and then Council would elect a new Mayor Pro Tem. He stated that the problem with that scenario is the situation when one Councilmember decides not to resign.

Discussion involved if the City could pass its own ordinance for a shorter term of office for the Mayor Pro Tem than the Local Government Code, and the City Attorney cautioned about the potential for fall out later regarding actions taken by the Council with a Mayor Pro Tem appointed for less than the full year term, as the Council's actions may be void. Attorney Onion confirmed that there are no Attorney General opinions on this subject.

Councilmember Dean stated that he had no problem with any member of the Council serving a full year's term as Mayor Pro Tem. Councilmember Baldridge agreed with Councilmember Dean.

A motion was made by Councilman Reyna, seconded by Councilman Manea, to elect Councilmember Dean as the Mayor Pro Tem for a one-year term. City Attorney Onion announced that the Mayor could vote in this election. Upon unanimous vote, Mayor Riley announced that the motion carried.

Discussion Agenda

Discussion on designating the natural area as declared parkland (Lambert).

City Manager Lambert introduced discussion on designating the natural area as parkland following a message from Park Commissioner Uvietta, involving possible better protection for the City with any future environmental review for possible toll road plans.

City Attorney Onion reminded everyone that once the land is designated as parkland, only a successful vote by the citizens of Leon Valley will allow the property to be sold or designated as anything else. He stated that the City would be in a better situation if the land was designated as a parkland if they were asked to give up property for a highway

Councilmember Dean asked how the parkland designation would affect the lease with the Historical Society of Leon Valley (HSLV). Councilmember Baldridge stated that the property is dedicated as a natural green space. City Attorney Onion stated that the property could be designated as parkland and the Council could approve an ordinance that dedicates that parkland to be used as a natural green space. Councilmember Dean asked if stewardship of a dedicated parkland can be given over to a non-profit organization.

HSLV President Riley stated that the current lease turns over the use of the property to the HSLV and specifies other requirements of the HSLV. He stated that the HSLV would agree with the dedication of the area as parkland being a good idea, and suggested that if the area can be dedicated as parkland, the HSLV would like to increase the term of their lease for the property to fifty years.

Following discussion, it was agreed to wait for answers from the City Attorney's research to questions raised during the discussion.

Discussion of legislative proposals (Lambert).

City Manager Lambert reminded Council that the next Legislative session begins soon and asked Council to consider items to present to the Legislature. He suggested that the City may wish to ask the Legislature to authorize auto sales tax for municipalities.

Mayor Riley stated that Senator Zaffarrini has informed the Mayors that this is the time to brainstorm to ask the Legislature to consider their requests. She asked Council to consider ideas for further discussion before the end of the summer.

Councilmember Dean suggested that the City may wish to join other public entities' requests for review and legislation regarding TxDOT.

No action was taken.

<u>Discussion on nominations to fill vacancies as voting members on the South Central</u> Texas Regional Water Planning Group (RWPG)(Lambert).

Mayor Riley announced that the South Central Texas Regional Water Planning Group (RWPG) is soliciting nominations to fill its member vacancies. The City Manager suggested that Bob Tome may be a good advocate as a member.

Council was asked to think about ideas for nominations.

City Manager's report (Lambert).

City Manager Lambert reported that a candidate asked to return for a second interview for the Economic Development Director position will not be coming, so the meeting for June 5, 2008 may be canceled.

He also announced that fuel costs have risen 52.3% since the beginning of the year, rather than the forecasted 10%, and he reported that he has already asked staff to cut costs. He also confirmed that the expected employee turnover rate was much lower than he had anticipated for the FY 2008 budget.

Update on AIA scheduled visit for June 18 - 20, 2008

Mr. Lambert provided an update on the plans for a dinner/meeting with two American Institute of Architects representatives, the Steering Committee, City Council and Department Heads. Mayor Riley also noted that June 19, 2008 would be busy with meetings all day and a public meeting at 7pm that same day.

Mr. Lambert reported that he was a recipient of the 2008 Starfish Award from the Northwest Vista College for making a difference for students. He also reported that the award was listed in this month's Texas City Managers' Association magazine. Mr. Lambert stated that he would be teaching again for the summer session in the evening.

Citizens to be heard.

Mayor Riley recognized resident Abraham Diaz and congratulated him for receiving his Master's Degree from Liberty University in Human Services. Mr. Diaz addressed Council with high praises for Deputy Fire Marshal Luiz Valdez, who received grants for smoke detectors to promote home fire safety in the community. He reported that the Deputy Fire Marshal helped Mr. Diaz's home with such an inspection and provided smoke detectors. Mr. Diaz publically thanked Deputy Fire Marshall, Fire Chief Irwin, the Council and the Fire Department for such a worthwhile project for the community and encouraged them to get the word out to others.

Announcements by Councilmembers and Mayor.

Councilmember Nelson announced the return of the annual fundraiser for KLRN public television, "Blazing Gavels Auction " which she reported will start soon. She informed everyone that the City of Leon Valley will work two evenings on June 20th and June 21st. She stated that she and her husband will be working the auction and encouraged everyone to support the public television fundraiser.

Councilman Reyna congratulated Mayor Pro Tem Dean on his appointment.

Councilman Manea recommended that the smoke detector project be put out on the Leon Valley ENews. He asked that his upcoming absence from the June 17, 2009 City Council meeting, due to an out of area Rotary Meeting, be excused. Mayor Riley agreed that the absence is excused. Councilman Manea also thanked Chief Wallace for being proactive and patrolling the community.

City Manager Lambert explained that the patrol initiative came from Chief Wallace and it was for he and Lt. Reyes to provide extra patrol presence in the neighborhoods.

Mayor Riley announced that the Historical Society of Leon Valley gave the City a certificate of appreciation for all the work the City did to help with the May 18th National Registry event.

Mayor Riley reminded everyone that the first level for further cuts in water use will be when the aquifer hits 660 feet. She asked everyone to conserve water. She also explained that there will be a difference between the required water reduction levels for residents of Leon Valley on the SAWS versus the City's water system.

She announced the last Trade and Market Day for the summer will be held on Saturday, June 14, 2008 from 9:30 a.m. - 4:30 p.m. She also announced that the Walkable Communities program with the Metropolitan Planning Organization would be held at 9:00 a.m. at City Hall also on June 14. She encouraged everyone to support these two activities.

Mayor Riley also announced deaths of the wife of former City Attorney Harvey Hardy, Vivian Hardy and of resident Agnes Maddux. She offered her condolences to the families.

Adjourn.

Hearing no further business, a motion was made by Councilman Reyna, seconded by
Councilmember Dean, to adjourn the meeting. Hearing no objections, Mayor Riley announced
the meeting adjourned at 10:00 p.m.

ATTEST:	Mayor	
City Secretary		